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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/208,805	12/09/1998	DAVID HYATT	NET-P1600	8640

7590 09/10/2002

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EXAMINER

HUYNH, THU V

ART UNIT

PAPER NUMBER

2176

DATE MAILED: 09/10/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/208,805

Applicant(s)

HYATT ET AL.

Examiner

Thu V Huynh

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-- Th MAILING DATE of this communication appears on th cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 June 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

1. This action is responsive to communications: amendment filed on 06/13/2002 of application filed on 01/12/1999.
2. Claims 1-11 are pending in the case. Claim 1 is independent claim.
3. Claims 1-11 are amended.
4. The objections of claims 5 and 10 have been withdrawn in view of the amendment.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

(b) This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. **Claims 1, 3, 8-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bertram et al., US patent 5,818,446 filed 11/1996 in view of "Alexa Internet and Netscape Team To Provide Related Sites To Support Smart Browseing" (hereinafter Alexa), 06/01/1998 as supplied by the Applicant in IDS filed 06/04/1999.**

Regarding independent claim 1, Bertram discloses the steps of:

- content display program means configured to receive content data from a current web site of a current server computer, and to cause information representative of the content data to be display on a content portion of a display of the client computer (Bertram, col.3, lines 39-57);
- chrome display program configured to cause chrome that corresponds to chrome specifiers in a chrome configuration storage to be display on a chrome portion of the client computer display (Bertram, col.2, line 65 - col.3, line 23; col.5, lines 2-16; col.11, lines 32-38; and col.11, lines 26-32, Bertram teaches a software program which is able to change the browser's user interface. After the desired user interface information is stored in the storage which is considered as "chrome configuration storage" of client's computer, the desired user interface is displayed on the client computer display that corresponds to the data which is stored in the storage); and
- a chrome configuration processing program configured to receive, from a plurality of information servers, information designators provided to the client computer as chrome specifiers in the chrome configuration storage such that the chrome display program displays the information designators as part of the chrome (col.2, line 65-66, col.3, line 1-2, col.5, col.2, line 28-34, col.5, line 2-16, and col.8, lines 35-42, Bertram discloses that the client receives information which is considered as "information designators" from the server to change the browser's user interface to desired browser's user interface, and store such information in the storage which constitutes the "chrome configuration database" for display on the client computer).

Bertram does not specifically teach said specifiers stored in a database. However, the use of a database would have been obvious to one of ordinary skill in the art at the time of the invention, in view of Bertram, because Bertram teaches various database applications associated with styles of user interfaces, which suggest the use of a database for the storage of data, providing the advantage of data management that databases provide (col.7, line12-15).

Bertram does not specifically teach that the chrome configuration receives information from *related site* servers in which the *related* information based on the indication of the current site; a current site communication program configured to provide an indication of the current server computer to plurality of *related* information servers indicated by a *related* information server indication; and a related information server indication receiving program configured to receive the *related* information servers indication from at least one of the plurality of server computers such that the *related* information servers indication is dynamically reconfigurable.

Alexa teaches the steps of:

- “Related Sites support Smart Browsing” which provides to the client computer related information based on the indication of the current server computer (Alexa, page 1, lines 24-36; and fig in page 5, Alexa’s Related Sites service provides related links to the client computer, such as “Netscape Auto Channel by Excite”, “General Motors Corp.”, “Honda Civic Homepage” ... “Acura Homepage” when the user views “Ford” site);
- a current site communication program configured to provide an indication of the current server computer to related information server indicated by a related information server indication (Alexa, page 1, lines 31-34; page 3, lines 3-10; and page 5, teaches Alexa’s Related Site service provides related information based on the current site,

which implies that an indication of the current server must be provided to the Alexa's Related Site provider to conduct related information); and

- a related information server indication receiving program configured to receive the related information server indication from at least one of the plurality of server computers such that the related information server indication is dynamically reconfigurable (Alexa, page 1, lines 31-36, teaches the related links is dynamically generated).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Alexa and Bertram to provide Smart Browsing feature to the users, since this would have "helped the users to find information on the Web faster and easier by using a targeted list of links to relevant and meaningful sites" (Alexa, page 1, lines 11-14).

Regarding dependent claim 3, which is dependent on claim 1, Bertram teaches wherein the designators received from the servers specify the appearance of at least one sub-portion of the chrome portion of the client computer display and a behavior associated with a user activation of that sub-portion (col.2, line 65-66, col.3, line 1-2, col.5, col.2, line 28-34, col.5, line 2-16, and col.8, lines 35-42, Bertram discloses that the client receives information which is considered as "information designators" from the server to change the browser's user interface to desired browser's user interface).

However, Bertram does not explicitly disclose the designators are related information designators and the server is related information server. Alexa teaches the related information designators received from the related information servers (Alexa, page 1, lines 24-36; and fig in

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page 5, Alexa's Related Sites service provides related links to the client computer, such as "Netscape Auto Channel by Excite", "General Motors Corp.", "Honda Civic Homepage" ... "Acura Homepage" when the user views "Ford" site).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Alexa and Bertram to provide the appearance needed for the related information as designated by the related information servers, since this will help in dynamically configure the generated list of links to information provided by such servers.

Regarding dependent claim 8, which is dependent on claim 1. Alexa's implementation allows the web browser program cause the client computer provides the related information servers an indication of demographic of the user, and the related information provided by the related information servers corresponds to that demographic (Alexa, page 3, lines 20-24).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Alexa and Bertram to provide more focused related information to the user, and to implement other features such as targeting advertisings, since such focusing requires certain level of understanding the user's identity and habits.

Regarding dependent claim 9, which is dependent on claim 8. Bertram discloses wherein the demographic is an indication of identity of the user (col.5, line 58-59 and col.10, line 1-19, Bertram discloses that the demographic is graphic language such as pictures which are provided for preschool child, and the graphic language "might be understood" by a preschool child").

Regarding dependent claim 10, which is dependent on claim 1. Alexa discloses wherein the related information provided by the related information servers includes at least one link to a web site having content the subject matter is related to subject matter of which is related to the subject matter of the a current web site and a review of the current web site (Alexa, page 1, lines 24-36; and fig in page 5, Alexa's Related Sites service provides related links to the client computer, such as "Netscape Auto Channel by Excite", "General Motors Corp.", "Honda Civic Homepage" ... "Acura Homepage" when the user views "Ford" site).

Regarding dependent claim 11, which is dependent on claim 1. The combination of Bertram and Alexa does not explicitly teach a confirmation program configured to confirm whether the user desires to store a related information server indication in a related information server indication database, and to control that storage based on the confirmation, wherein the servers to which the current server computer indication is provided are limited to servers having indication in the related information server indication database.

Refer to the rational relied to reject claim 1, wherein the current server computer indication is provided to a plurality of "related information" servers indicated by a related information servers indication is addressed. However, the use of a database would have been obvious to one of ordinary skill in the art at the time of the invention, as Bertram's implementation teaches various database applications associated with styles of user interfaces (Bertram, col.7, lines 1-7). In particular, Bertram teaches that the user configures which user interface is to be used with which content (Bertram, col. 7 lines 21-25), that user interfaces are to be registered (Bertram, col. 8 lines 40-42), that user interfaces can be switched automatically or

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on request (Bertram, col. 7 lines 31-35), and that user interfaces change can be implemented using a visual component on the screen display, control button, mouse button. All of his teaching suggests very well the use of a confirmation program to provide the user options to control the information storage.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Bertram invention to include the confirmation program means to confirm whether the user has a desire to store related information server indication in a database and to control that storage based on the confirmation. The databases management feature would have provided a way to connect and process related information between different related information servers, as this is will ultimately help to achieve the Smart Browsing feature implemented by Alexa.

7. Claims 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bertram in view of Alexa as applied to claim 1 above, and further in view of Eric Miller (herein after Miller), “An Introduction to the Resource Description Framework”, D-Lib Magazine, May 1998, page 1-12.

Regarding dependent claim 2, which is dependent on claim 1, Bertram and Alexa teach the limitations of claim 1 as explained above. Bertram and Alexa does not disclose wherein the related information servers indication receiving program is configured to receive the related information servers indication in a RDF format.

Miller however discloses that the “RDF is an infrastructure that enables the encoding, exchange and reuses of structured metadata” (Miller, page1, lines 1-2), and that RDF metadata will make “searching on the web will become easier” (Miller, page 9, lines 8-9 from the bottom).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have applied RDF format of Miller to Bertram and Alexa’s related information server indication to provide more focused searches for Smart Browsing (Alexa, page 1, lines 11-14), since RDF format would have helped to easily encode metadata such as chrome indicator information.

8. Claims 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bertram in view of Alexa as applied to claim 1 above, and further in view of Peyer, U.S. 6,188,401 filed 05/1998).

Regarding dependent claim 4, which is dependent on claim 1, Bertram and Alexa teach the limitations of claim 1 as explained above. Bertram and Alexa do not explicitly disclose wherein at least a portion of the related information designators received from the server computer specifies the behavior as a JavaScript method.

Peyer teaches the step of using JavaScript program to implement the user interface, and “displays the specified HTML graphical elements in conjunction with whatever material is already being displayed as a result of user browsing” (col.7, line 26-49).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have applied Peyer’s teaching into the combination of Bertram and Alexa to provide

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convenient tools to the user interface, since “JavaScript is ... popular language ... allow the designer to add interactivity ... interaction and feedback” (Peyer, col.4, lines 12-26).

9. Claims 5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bertram in view of Alexa as applied to claim 1, and further in view of Brown, et al., “Using Netscape 2”, published by Que Corporation 1995, page 74.

Regarding dependent claim 5, which is dependent on claim 1, Bertram and Alexa teach the limitations of claim 1 as explained above. Bertram and Alexa do not explicitly disclose wherein the at least one of the server computers from which the related information servers indication is received by the related information servers indication receiving program is a trusted server computer to which the web browser program causes the client computer connect.

However, Bertram discloses that any browser such as Netscape Corporation’s Navigator (col.3, line62-65) is able to use Bertram’s invention to change the user interface of the browser. In the other hand, Brown teaches that when the user first install Netscape Corporation’s Navigator browser, the Netscape Communication Corporation’s home page is automatically selected as a default home page “when you first ... appear automatically” (page 74, line 10-14).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Bertram and Brown, since it would have been provided a chance for the client to customize his/her browser user interface when the first time the client accesses to the internet. Also, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to have appreciated that the server which provides the chrome specification information for the client is a trusted server, since the trusted server would have kept the client’s

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information securely, and helped the client feels safer. As Bertram disclosed that the standard browser user interface would have been able to change to the child level browser user interface if “the parent has previously registered the child user interface” with the serve (col.9, line 50-67).

Regarding dependent claim 6, which is dependent on claim 5. Referring to the rationale relied to reject claim 5, in which “the trusted server is a default server to which the web browser program causes the client computer to connect upon a first execution of the web browser after a predetermined event” is addressed.

Regarding dependent claim 7, which is dependent on claim 6. Referring to the rationale relied to reject claim 5, in which “the predetermined event is installation of the web browser program on the client computer” is addressed.

Response to Arguments

10. Applicant's arguments filed on 06/13/2002 have been fully considered but they are not persuasive.

Applicants argue with respect to independent claim 1 that Alexa does not overcome deficiencies in Bertram because Alexa provides only one “point of view” in determining and providing related information to a user.

This is not persuasive. Alexa teaches all the steps of providing related information as discussed in claim 1. Bertram teaches the steps of reconfiguring the browser based on information received from the servers on the network as also discussed in claim 1. It is

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noted these different servers will provide different information. It is obvious for a person of ordinary skill in the art at the time the invention was made to have combined Alexa and Bertram to implement Alexa's steps using different related information gathered from different servers and not one "point of view" from Alexa only since this would have provided multiple choices of related information gathered from different servers. Further, as disclosed in Alexa, page 3, lines 3-7 that Alexa, Yahoo, and Altavista all provide somewhat similar services. A person of ordinary skill in the art would have been able to modify Alexa and Bertram as mentioned earlier to gather all information from these services for a more complete list of related information, or alternatively different lists of related information from different services (servers).

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Burner et al., US 6282548 B1 filed 06/1997, teaches automatically generate and displaying metadata as supplemental information concurrently with the web page, there being no link between web page and metadata.

Furst, US 6297819 B1 filed 11/1998, teaches parallel web sites.

Curtis, US 6075528 file 10/1997, teaches GUI interface program may be modified quickly and easily by a network server in providing a greater selection of GUI presentation to network user.

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Stucka et al., US 5596702 filed 04/1993 teaches user interface server provides applications with the ability to dynamically load user interfaces from the display object store and to attach any sub-hierarchy of a user interface.

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu v Huynh whose telephone number is (703) 305-9774. The examiner can normally be reached on Monday through Friday, except the second Friday of each bi-week.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R Herndon can be reached on (703) 308-5186. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular

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communications (703) 746-7238 for After Final communications, and (703) 746-7240 for Non-Official/Draft.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9000.

TVH
August 29, 2002


STEPHEN S. HOI
PRIMARY EXAMINER